

STATE OF CONNECTICUT
BOARD OF VETERINARY REGISTRATION AND EXAMINATION

In the Matter of:

JOSEPH ST. CLAIR, D.V.M.

MEMORANDUM OF DECISION

The Department of Health Services presented the Connecticut Board of Veterinary Registration and Examination with a Statement of Charges, dated February 8, 1985, brought against Joseph St. Clair, D.V.M., the Respondent. The Statement of Charges alleged violations of §§ 20-202(2) and 20-202(4) of the Connecticut General Statutes committed by the Respondent during 1980.

A notice of Hearing, dated February 8, 1985, was issued to the Respondent by the Connecticut Board of Veterinary Registration and Examination. The Department's Statement of Charges was attached to the Notice. The hearing was held on July 26, 1985, at the Office of the State of Connecticut's Department of Health Services, 150 Washington Street, Hartford. The parties were the Department of Health Services and the Respondent.

The Respondent appeared pro se and had full opportunity to present evidence and cross-examine witnesses.

All members of the Board participating in this decision, were either present at the hearing or have read the record.

The decision is based entirely on the record presented and the specialized professional knowledge of the Board members in evaluating the evidence.

FINDINGS OF FACT

A. General Findings

1. Respondent, Joseph St. Clair, D.V.M., was licensed to practice veterinary medicine by the State of Connecticut in 1978 and has since practiced within the state.

2. Pursuant to § 4-182(c) of the Connecticut General Statutes, Respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of his license.

B. Findings Re: Gursky-Hyman Dog

3. Marie Gursky-Hyman first met with Respondent when she consulted him at his hospital in April, 1980, about the pregnancy of her dog and the need for a caesarean section.

4. On April 12, 1980, the Gursky-Hyman dog was brought to the Meriden Animal Clinic where Respondent performed a caesarean section on her and removed a dead puppy.

5. In preparation for the procedure, the dog was placed on a heating pad covered with a towel.

6. During the procedure, the pad and toweling became wet with fluid and urine.

7. The dog was burned by the heating pad leaving an open wound on her back that was initially about 3" x 1/2".

8. Respondent applied ice packs to the wound. Ms. Gursky-Hyman returned to pick up the dog the same day. She was dispensed Tetracycline but given no instructions regarding care. Neochol was dispensed on April 14.

9. The dog's condition deteriorated and she was returned to Respondent's hospital on April 16, where she remained for approximately two weeks.

10. During this period, Respondent treated the dog with Talwin and Betadyne washes. Tetracycline was discontinued on or about April 23. Respondent discharged the dog on or about May 1, 1980. At this time, Respondent dispensed Betadyne and gauze for washing. Ms. Gursky-Hyman was not given any further care instructions or advised about the status of the infection.

11. On or about May 2, 1980, Ms. Gursky-Hyman brought the dog to Ann L. Huntington, D.V.M., for treatment, thus incurring additional expense. Dr. Huntington at this time observed an 11" x 5" wound over the dog's right hip with deep tissue destruction to the superficial muscles. She prescribed antibiotics, scrubs, and the use of a restraining collar and bucket on an as needed basis. Dr. Huntington diagnosed severe trauma requiring corrective surgery.

12. The dog underwent corrective surgery on July 8, 1981 to remove the open portion of the wound and scar. An ovariohysterectomy (spay) was performed on June 2, 1982 to prevent increased tension on the scar that could accompany a pregnancy.

C. Findings Re: License Renewal

1. A license was issued to and the requisite fee paid by Respondent for the year 1978-79.

2. Respondent moved to Connecticut from New York on July 1, 1978. Until March 18, 1981, the old New York address was the address of record at the Department of Consumer Protection, and later at the Department of Health Services.

3. On October 1, 1979, Respondent's license renewal fee came due. The Department of Consumer Services usually telephoned delinquents.

4. Respondent did not learn of his delinquency until circa April 1, 1981 at which time he paid a \$150.00 reinstatement fee.

DISCUSSION AND CONCLUSIONS

First Count

Respondent is charged with failure to properly monitor the status of a dog in his care that he had placed on a heating pad, resulting in a burn to this animal. Respondent does not deny that the Gursky-Hyman dog was burned by a heating pad subsequent to the performance of a caesarean section. It is well known and Respondent should have known that, when heating pads like the one used here are wet, they can short-circuit and burn animals resting on them. It was incumbent upon Respondent to attune his level of diligence to the level of risk inherent to this appliance. Accordingly, the Board, after reviewing all the evidence, finds that Respondent acted in a unskillful manner, as alleged in the first count, which conduct is in violation of Conn. Gen. Stat. § 20-202(2).

Second Count

Respondent is charged with failure to provide proper post-injury care to an animal burned while under his care. First, the Board finds that Respondent did not recognize the seriousness of the wound and, consequently, failed to adequately advise the owner regarding its significance or treatment. We also find that Respondent did not proceed with an adequately aggressive treatment to assist rapid healing, e.g., debridging. Accordingly, after reviewing all the evidence, the Board finds Respondent acted in an unskillful manner, as alleged in the second count in violation of Conn. Gen. Stat. § 20-202(2).

Third Count

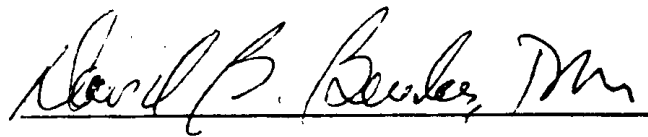
Respondent is charged with practicing veterinary medicine in Connecticut in or about 1980 when his license to do so had not been renewed. The Board finds that this charge has been proven by the evidence on the Record. The violation was remedied by the reinstatement of the Respondent's license on April 1, 1981.

ORDER

Pursuant to its authority under Conn. Gen Stat. Sec. 19a-17,
the Board of Veterinary Medicine hereby orders that:

the Respondent, Joseph St. Clair, D.V.M., be reprimanded for
the offenses found above.

April 29, 1987



David B. Bender, D.V.M.
Acting Chairman
Connecticut State Board of
Veterinary Medicine